

**Town of Barkhamsted
Incorporated 1779**

**Testimony of Donald S. Stein
First Selectman, Town of Barkhamsted
Before the Energy Technology Committee
of the Connecticut General Assembly
March 16, 2011**

Good afternoon, Senator Fonfara, Representative Nardello, and members of the Committee. My name is Donald Stein, and I'm the First Selectman of the Town of Barkhamsted. I'm testifying today regarding:

**SB-1170 - AN ACT CONCERNING MEMBERSHIP OF THE CONNECTICUT
RESOURCES RECOVERY AUTHORITY BOARD OF DIRECTORS**

Unfortunately, I cannot appear in person today due to a prior commitment that requires me to remain in Town. I recently served as the Co-Chair of a committee, with First Selectman Tom Gormley of Middlebury, which was chartered by the CRRA's Mid-Connecticut Municipal Advisory Committee to review the current composition of the CRRA Board of Directors and to revise the method of appointing Directors. The result of this effort was a set of changes to the governance of the Authority, which was recommended to the Mid-Connecticut towns and cities. These recommendations were passed by the Mid-Conn Municipal Advisory Committee and are very similar to the language contained in the subject bill.

The Mid-Conn Municipal Advisory Committee includes the First Selectmen or Mayors of all 70 towns which bring their trash and recyclables to the Mid-Conn trash-to-energy facility on Murphy Road in Hartford. Based on a resolution passed by the full MAC during December 2010, a Governance subcommittee was formed, which included 8 members from the Mid-Conn project and representatives of the other two CRRA projects. The committee was composed of Syd Schulman, Mayor of Bloomfield, Dick Barlow, First Selectman of Canton, Tom Marsh, First Selectman of Chester, John Elsesser, Town Manager of Coventry, Susan Bransfield, First Selectman of Portland, John Adams, First Selectman of Granby, and Robert M. Congdon, Town of Preston (representing the Southeastern region), as well as Mr. Gormley and me.

This subcommittee reviewed the chartering legislation for the CRRA and the method it prescribes for selecting members, the level of municipal representation on the board, and other pertinent issues related to Board membership. Included in the deliberations were

**Town of Barkhamsted
Incorporated 1779**

considerations as to whether the Board needed members with specific expertise, or whether these skills could be obtained by hiring consultants with specific skills. The subcommittee met three times, and then presented the full Mid-Conn MAC with its findings. After discussion, the resolution below, which specified that the Board of Directors should be composed wholly of Municipal Officials, was passed with only two dissenters from all of the member towns. The committee's recommendation to hire experts as needed was part of the resolution which was passed.

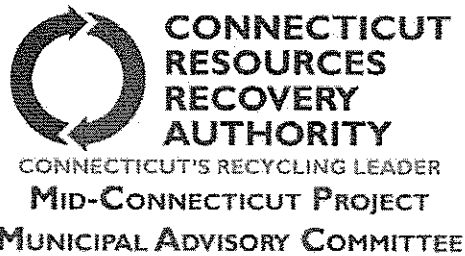
Mr. Gormley then presented the committee's recommendations to the CRRA Board, in an effort to reach consensus. At the CRRA Annual Meeting, the Chairman of the Board, Michael Pace, agreed to meet with Tom Gormley and me for further discussions, but we have been unable to contact him to schedule that meeting in the past two weeks.

This initiative directly resulted from the fact that the Mid-Conn communities and other cities and towns within the state that depend on CRRA do not feel they are being adequately represented in the decision process. The overwhelming sentiment of the towns and cities is that the Board should be composed wholly of municipal CEO's and that the majority of the Board members should be elected by the communities who utilize the services of the CRRA facilities. In that manner, the CRRA will better serve the state and its customers and the dissension that has occurred in the past between CRRA and the municipalities is very unlikely to recur.

The language in the legislation which expands the Board to 15 members, 5 appointed and 10 elected by the municipalities that have a contractual relationship with CRRA is consistent with the resolution passed by the Municipal Advisory Committee.

Unfortunately, Tom Gormley is also unable to attend the hearing today, but he has asked me to pass on to you that he and the Town of Middlebury are in full agreement with our recommendation that you approve the legislation. Thank you for your consideration in this matter.

**Town of Barkhamsted
Incorporated 1779**



ADOPTED FEBRUARY 16, 2011

**MID-CONNECTICUT PROJECT MUNICIPAL ADVISORY COMMITTEE RESOLUTION
ADOPTING THE RECOMMENDATION OF ITS COMMITTEE ON GOVERNANCE OF THE
CONNECTICUT RESOURCES RECOVERY AUTHORITY**

WHEREAS, the Connecticut Resources Recovery Authority ("CRRA") is governed by a Board of Directors ("CRRA Board") created by Public Act 02-46 enacted by the General Assembly in 2002, and

WHEREAS, Connecticut General Statutes Section 22a-261(c) specifies the Board must include at least five municipal officials, and

WHEREAS, leaders of some Mid-Connecticut Project cities and towns are not satisfied with the level of municipal representation on the CRRA Board, and

WHEREAS, any changes to the structure of the CRRA Board would require an act of the General Assembly, and

WHEREAS, on November 17, 2010, the Mid-Connecticut Project Municipal Advisory Committee ("MAC") adopted a Resolution ("Resolution") to establish a Committee on Governance to address those concerns, and

WHEREAS, the Resolution called for the Committee on Governance to recommend changes to the structure of the CRRA Board and discuss those changes with members of the current Board in the hopes of agreeing on changes that would be proposed to the General Assembly, now

BE IT RESOLVED that the Mid-Connecticut Project Municipal Advisory Committee adopts the recommendation of the Committee on Governance as presented and discussed at the MAC meeting of February 16, 2011, and

BE IT FURTHER RESOLVED that, as stipulated in the Resolution, the Committee on Governance will ask the MAC to endorse any agreement reached with CRRA before said agreement is submitted to the General Assembly.

Town of Barkhamsted
Incorporated 1779

RECOMMENDATION OF THE COMMITTEE ON GOVERNANCE

The Committee on Governance consisted of:
Donald Stein, Barkhamsted – Co-chairman
Thomas Gormley, Middlebury – Co-chairman
Richard Barlow, Canton
John Adams, Granby
Sydney Schulman, Bloomfield
Thomas Marsh, Chester
Melody Currey, East Hartford*
Robert Congdon, Preston
Susan Bransfield, Portland

* – Ms. Currey resigned after being appointed Commissioner of Motor Vehicles and was replaced by Ms. Bransfield.

The approach approved by the Committee on Governance consists of the following changes to the methodology by which the CRRA Board of Directors would be appointed:

- Five members, one each appointed by the Governor and the four legislative leaders. All appointees in this category must be municipal officials.
- Ten members shall be elected by a simple vote of representatives of all towns having a contractual relationship with CRRA. Three of these members shall be from towns whose population is greater than 30,000, one of which shall be a representative of the City of Hartford. The other seven members shall be from towns whose population is less than 30,000. No more than six of these Board members shall be from the existing Mid-Connecticut Project towns. None of these individuals may be from towns that already are represented on the Board and all of them must be municipal officials.
- The Board members shall elect the Chairman of the Board for a two-year term, with a maximum duration as Chairman of four years.
- A schedule that provides for staggered terms for the reconstituted board must be established so that five members are up for re-election or reappointment every two years. Therefore, the initially elected board will have five members with terms of two years and five members with terms of four years. After the initial election, terms shall be for a period of four years. The maximum number of years a board member shall be allowed to serve shall be eight years in total.
- If a board member is no longer a municipal official, he or she must immediately step down and his or her replacement shall be appointed by a general election to fill out the open term in the same manner as the original board member was elected.
- A "Municipal Official" shall be defined as a Mayor, First Selectman, Town Manager, or Chief Financial Officer or the equivalent of these positions, with the exception of the City of Hartford, which may appoint its member by action of that city's legislative body.